

# Commissioner Chair Williams Criticized By County Attorney For Improper Conduct

February 22, 2017



Commissioner chair Ron Williams (center) tells about the letter he solicited from Secretary of Agriculture Adam Putnam, regarding the legality of the ordinance. He allegedly bypassed and did not consult with his elected attorney, and presented to the board as factual the opinion in the letter. County Attorney Joel Foreman is on the far right.

The following article appeared in today's Feb. 22, 2017 [Lake City Reporter](#). It refers back to the Thursday, Feb. 16 2017 county commissioners' meeting at which the controversial ordinance regarding land use was heard. The procedures employed

by the chairman of the board are questioned by the county attorney. Supporters of the ordinance redefining “intensive agriculture” were blindsided when the commission defeated their own ordinance by declaring it illegal. Once those supporting the ordinance had spoken, they were not allowed to speak again to rebut dissenters.

This is the second day in a row that Chairman Williams has received negative press. In the *Lake City Reporter* of Feb. 21, 2017, it was reported that he must appear before the Florida Elections Committee in Tallahassee on Feb. 28 to answer charges of ethics violations during the last elections.

Comments by OSFR historian Jim Tatum.

-A river is like a life: once taken, it cannot be brought back-

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By CARL MCKINNEY [cmckinney@lakecityreporter.com](mailto:cmckinney@lakecityreporter.com)

Bad questions lead to bad answers, and a county commissioner’s legal advice last week is the perfect example as to why, the county attorney says.

County Attorney Joel Foreman adopted new policies in response to a tense exchange on Thursday with County Commission Chairman Ron Williams, who solicited outside legal advice without the county attorney’s input and presented the opinion during a public hearing on a proposed ordinance.

“There’s a fine line between an individual commissioner

soliciting an opinion to consider as he votes, and taking that opinion and projecting it to the board as definitive," Foreman said.

All questions to outside legal counsel are to go through Foreman first, the county attorney wrote in a memo to commissioners.

Williams on Thursday presented a legal opinion from the Florida Department of Agriculture which concluded that a proposed county ordinance to limit high-concentration animal feeding operations would violate state law.

The document, written by a legal intern, asserts the rule would run afoul of a statute prohibiting local governments from restricting agricultural activities that are already regulated by the Florida Department of Environmental Protection.

"Here it is in black and white," Williams said Thursday, waving the letter in front of an auditorium overwhelmingly packed with opponents of the rule. Foreman objected, saying the department might have been asked a "significantly" different question than the one at hand.

When the county attorney asked for all questions for outside counsel go through him first, Williams fired back. "If I want clarification, I'm gonna send it off to get clarification," he said. "I got every right to send it to whoever I want to," he added. Williams denied asking the department "any questions whatsoever." A county staffer did ask one on Williams' behalf, according to an email addressed to Florida Commissioner of Agriculture Adam Putnam.

"Commissioner Williams would like your opinion to see if our ordinance supersedes the Florida Statute," the employee wrote. The question is vague and the department based its response on an incorrect factual assumption, Foreman said. The commission

was voting on whether to amend an existing ordinance. Because the ordinance pre-dates the relevant state statute, there are legal precedents to support it being exempt, he said.

“Without knowing when the ordinance was adopted, Commissioner Williams couldn’t really give a formed question,” Foreman added. Putnam’s office wrote that the county was voting to amend an ordinance passed in 2016. “That’s how big of a difference that one change in facts is,” Foreman said.

“That’s why it’s important for the county attorney to have an opportunity to review.” Williams did not return calls seeking comment. Foreman in the memo cited state law that the commission “shall not have the power or authority” to use outside legal counsel on behalf of the county, and violation “shall be cause for removal or suspension from office.”

The Columbia County attorney is an elected position and the commission’s “exclusive” source of legal counsel, he wrote. Williams is free to ask for outside legal opinions for his own research, Foreman said. “But if he goes out and solicits information, and presents it to the board as authoritative, you’re compromising the board’s ability to make informed decisions,” he said.

“It sort of undermines the office of the county attorney.” Foreman is also now refusing to draft ordinances for the county without a formal vote asking him to do so.

“I’ve been very willing to assist the commission,” he said. “What I’m not willing to do is go out and do that and have people get the impression that I’m supporting whatever it is.” At least one county commissioner must sponsor a request for legal review, according to the new policy.

“I’m not going to review items that originate from quote-end-

quote staff," he said.